

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: INDICTMENT

- v. -

: S2 08 Cr. 62 (JSR)

ZACHARY BALLARD,

:

a/k/a "Zachary Balard,"

:

a/k/a "Little Zachary,"

a/k/a "Boobie,"

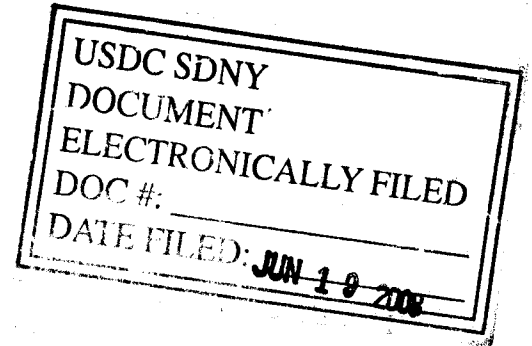
Defendant.

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COUNT ONE  
(Conspiracy)

The Grand Jury charges:

1. From in or about October 2007, to in or about November 2007, in the Southern District of New York and elsewhere, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, with others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, BALLARD with others known and unknown agreed to commit armed robbery of various commercial businesses.



Overt Acts

2. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 7, 2007, BALLARD and a coconspirator ("CC-1") not named as a defendant herein robbed at gun point a Deluxe Storage located at 945 Atlantic Avenue, Brooklyn, New York.

b. On or about October 19, 2007, BALLARD and CC-1 robbed at gun point a Sears located at 2980 Third Avenue, Bronx, New York.

c. On or about October 25, 2007, BALLARD and CC-1 robbed at gun point a Kentucky Fried Chicken located at 5625 Broadway, Bronx, New York.

d. On or about October 27, 2007, BALLARD and CC-1 robbed at gun point a Family Dollar Store located at 4226 Third Avenue, Bronx, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO  
(Robbery #1 - Sears)

The Grand Jury further charges:

3. On or about October 19, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully, and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby did obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, BALLARD and CC-1 robbed at gun point a Sears located at 2980 Third Avenue, Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE  
(Use of Firearm, Robbery #1 - Sears)

The Grand Jury further charges:

4. On or about October 19, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Two of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the

use, carrying, and possession of a firearm, which was brandished during the robbery referenced in Count Two.

(Title 18, United States Code, Sections 924(c) and 2.)

COUNT FOUR

(Robbery #2 - Family Dollar)

The Grand Jury further charges:

5. On or about October 27, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully, and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby did obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, BALLARD and CC-1 robbed at gun point a Family Dollar Store located at 4226 Third Avenue, Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT FIVE

(Use of Firearm, Robbery #2 - Family Dollar)

The Grand Jury further charges:

6. On or about October 27, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully and knowingly, during and in relation to a

crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Four of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished during the robbery referenced in Count Four.

(Title 18, United States Code, Sections 924(c) and 2.)

COUNT SIX  
(Robbery #3 - KFC)

The Grand Jury further charges:

7. On or about October 25, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully, and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby did obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, BALLARD, the defendant, and CC-1 robbed at gun point a Kentucky Fried Chicken located at 5625 Broadway, Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

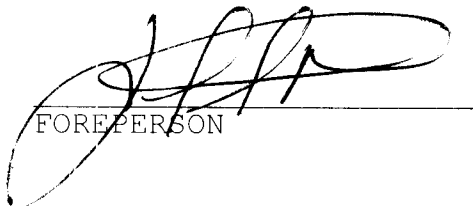
COUNT SEVEN

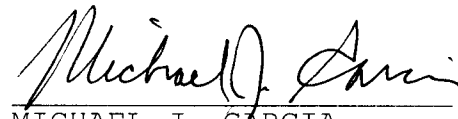
(Use of Firearm, Robbery #3 - KFC)

The Grand Jury further charges:

8. On or about October 25, 2007, in the Southern District of New York, ZACHARY BALLARD, a/k/a "Zachary Balard," a/k/a "Little Zachary," a/k/a "Boobie," the defendant, and CC-1, unlawfully, willfully and knowingly, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery charged in Count Six of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished during the robbery referenced in Count Six.

(Title 18, United States Code, Sections 924(c) and 2.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

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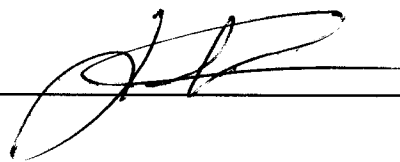
INDICTMENT

S2 08 Cr. 62 (JSR)

(18 U.S.C. §§ 2, 924(c), and 1951.)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL



Foreperson.

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